

YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
October 20, 2008

The Yadkin County Board of Commissioners met in Regular Session on Monday, October 20, 2008, in the Yadkin County Human Services Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, NC.

Present were:

Chair Kim Clark Phillips
Vice Chair Joel Cornelius
Commissioner Tommy Garner
Commissioner Chad Wagoner
Commissioner Brady Wooten

Staff present: County Attorney, James Graham; County Manager, Stan Kiser; and Clerk to the Board, Gina Brown.

CALL TO ORDER by Chair Phillips at 7:03pm.

INVOCATION led by James Graham.

PLEDGE OF ALLEGIANCE led by Mackenzie Sparks. Mackenzie is in the 8th grade at Courtney Elementary School. Mackenzie was accompanied by his mother, step-father, and brother. Assistant Principal, James Shover, was also in attendance. Mackenzie reported that Courtney has just recently begun to offer a variety of clubs for student participation. Mackenzie enjoys the Culture Club where he is learning about North Carolina history. Chair Phillips thanked Mackenzie, his family, and Assistant Principal Shover for their attendance at today's meeting.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Vice Chair Cornelius stated that a letter from Robin Testerman of the Surry Children's Center had been provided to accompany discussion in Section XII.4.

Commissioner Wooten asked if the Public Hearing of the rezoning of County-owned property on Hoots/Butler Road should be postponed due to the recent Appeal to the Zoning Administrator. Attorney Graham saw no reason for the delay since the County Ordinance does not provide for an appeal to the Zoning Administrator.

Vice Chair Cornelius made a motion to suspend the rules of comment for the Public Hearing related to the rezoning of property on Hoots/Butler Road allowing all individuals to speak as they desire. Commissioner Wooten second.

Vote: 4/1 (Wagoner against)

Vice Chair Cornelius made a motion to approve the agenda with the noted adjustment. Commissioner Garner second.

Vote: 5/0

PUBLIC COMMENTS

Alice Singh appeared before the Board. Ms. Singh read a letter from Attorney Graham to Steve Troxler, Commissioner of Agriculture. Ms. Singh had prepared a letter in response and read it aloud as well.

*[Attorney Graham letter to Steve Troxler is attached as Addendum A]
[Alice Singh letter to Attorney Graham and County Manager Kiser is attached as Addendum B]*

The Public Comments portion of the meeting closed at 7:13pm.

APPROVAL OF MINUTES

Chair Phillips requested the following adjustments:

- (1) page 9, 2nd paragraph – Commissioner Wagoner had also attended the training on the Emergency Medical Dispatch.
- (2) Page 9, 1st paragraph – change “effected” to “affected”

Commissioner Wooten made a motion to approve the October 6, 2008 Regular Meeting Minutes and the October 6, 2008 Closed Session Minutes with noted adjustments. Commissioner Wagoner second.

Vote: 5/0

PUBLIC HEARING

(1) Proposed Installment Financing Agreement to Finance a Portion of the Cost of a Flood Control and Water Supply Facility of Yadkin County

The Board was provided a copy of the resolution from the prior meeting that set the Public Hearing. Chair Phillips reported that the Public Hearing is for the establishment of an installment financing agreement for the 5D Watershed Project. This project has been in process since 1958. Financing options will be discussed later in the meeting. Bids have been received for the construction and for the financing.

The Public Hearing was open. There were no speakers for this issue.

(2) Proposed Conditional Rezoning of County-owned Property at Hoots/Butler Road from HB to MI-1-CD for a County Jail

Planning and Development Director, Kim Bates appeared before the Board for a staff report on the proposed rezoning. Director Bates reported that an application for rezoning of 10 acres on Hoots/Butler Road from HB to MI-1-CD was provided to the Zoning Office on August 13, 2008. The property offers 650' of road frontage on the south side of Hoots Road and 500' of road frontage on the west side of Butler Road. Article 16 of the Zoning Ordinance provides for the creation of parallel conditional districts. The site plan submitted on August 13 indicates the structure will be 27,226 square feet and will disturb 4.18 acres of the 10 acre lot. The Planning Board voted 3/2 on September 8, 2008 to recommend this rezoning. The Planning Board offered a statement of zoning consistency which Director Bates read aloud.

The Public Hearing was opened.

Kevin Austin approached the Board to speak in opposition of the rezoning of the Hoots/Butler Road property for a county jail. Mr. Austin is a Yadkin County resident and businessman. Mr. Austin thanked the Board for the opportunity to speak and thanked everyone in the meeting room for their attendance. Mr. Austin asked audience members who were in favor of the County jail being constructed in the downtown area to stand. Mr. Austin shared copies of information he had researched from the North Carolina Association of County Commissioners (NCACC) website and the National Association of Counties (NACo) website. Mr. Austin read the following from the NCACC document:

“The Association recognizes the kinship of cities and counties in the family of local government and urges member counties to act affirmatively to strengthen their partnerships with cities. There must be recognition of issues that cross city and county lines. These issues must be dealt with cooperatively.”

Mr. Austin read the following from the NACo document:

“The ethical county official should: Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the county.”

Mr. Austin remarked that it is the responsibility of County officials to work cooperatively with the Towns. The Yadkin Chamber of Commerce as well as the Town of Yadkinville passed resolutions to keep the jail downtown. The Yadkin County Board of Commissioners recently agreed to assist Jonesville with a new waterplant. Mr. Austin offered that it was a great decision for economic development and for the residents. Mr. Austin asked the Board to turn their attention to the Town of Yadkinville, its citizens, and the welfare of the entire County. Mr. Austin asked the Board not to diminish economic potential by building a jail on Hoots Road.

Bill Garrett stated that he has an address of Boonville, but lives on Whitaker Road, near the planned jail site. Mr. Garrett addressed the County’s spending, particularly a proposed 150-bed jail, and asked the Board to consider the current economic turndown. Mr. Garrett stated that the State of North Carolina had a recent budget cut of 3%. The State of North Carolina reports \$230,000,000 decrease in revenues in the first fiscal quarter. There is a 6.8% unemployment rate. Yadkin County has established debt of \$55-65 million. Mr. Garrett remarked that Yadkin County should be making cuts, rather than

a “credit card shopping spree”. Mr. Garrett stated that a jail on Hoots Road would offer no additional protection from the Sheriff’s Office or the Police Department in the event of an escape or emergency. Only bailiffs would be on site. Mr. Garrett stated that there is no taxi service in Yadkin County and the Sheriff’s Office is under no statute to provide transportation for released inmates. Mr. Garrett asked the Board to reduce the jail size to a 68-bed facility and construct this jail in the downtown area.

Peggy Boose remarked that she wished to speak for herself first and then on behalf of the group. Ms. Boose remarked that rezoning the Hoots Road property for a jail was wrong for the community, the County, and economics. Ms. Boose stated the County suspended their own requirement of waiting one year between rezoning petitions of the same property and asked the Board if they intended to offer the same benefit to the citizens and developers of Yadkin County. Ms. Boose stated that the property at Hoots Road could be worth up to \$2 million while the downtown property could be obtained for \$300,000. The Board seriously reviewed only 2 of the 13 potential sites. When the residents of the Hinshaw Road area stood in opposition to the jail in their neighborhood, the Board withdrew their petition. Ms. Boose asked the Board if the residents of Hinshaw Road were more important than the residents of Hoots Road. Ms. Boose remarked that jail construction could be half complete at this time if the County had built the jail downtown. Ms. Boose stated that a jail planner hired by the County recommended a 68-bed facility. This Board elected to build a 150-bed facility, adding \$8.5 million to the \$55 million already incurred. Ms. Boose asked the Board to make the right economic choice by placing a 68-bed jail downtown.

Representing the group of citizens against the Hoots Road site, Ms. Boose read a signed affidavit dated October 20, 2008.

[The Affidavit is attached as Addendum C]

Diane Doub remarked that thousands of dollars had been spent on this issue and asked the Board to stop this fight. Ms. Doub stated that the May primary election was an indication of the citizens’ will. Ms. Doub asked the Board to do the right thing and stop using the citizens’ money for things the citizens obviously don’t want.

Jim Austin, III, President of the Austin Company, appeared before the Board in opposition of the rezoning of Hoots Road for a County jail. Mr. Austin was accompanied by his father, the founder of the Austin Company, and his mother. Mr. Austin reported that the Austin Company employees 160. Though Mr. Austin lives in Greensboro, he has worked in Yadkin County for 20 years and has great concerns for his business and for the neighborhood. Mr. Austin remarked that the jail should be downtown. The Town of Yadkinville, the Chamber of Commerce, and the crowd in the meeting room all agree that the jail should be downtown. Mr. Austin reported that the Austin Company is growing despite the struggling economy. Mr. Austin commented that as a businessman, he is constantly evaluating costs, revenues, and the future of his company. The safety of his employees is a factor in those evaluations. Mr. Austin asked the Board if they were willing to take the chance of a potential withdrawal of the Austin Company from Yadkin County to place a jail on Hoots Road.

Jim Austin, Jr., founder of the Austin Company and father to the current President and Vice President, spoke to the Board regarding Austin Company's relationship with the County. Mr. Austin reported that he brought the Austin Company to Yadkin County in the late 1960s, simultaneously with Allen Mebane of Unifi. Mr. Austin remarked that Yadkin County, with the assistance of Luther Todd, was extremely cooperative in this company relocation. Mr. Austin remarked that the Austin Company had not asked anything of Yadkin County in the 40+ years and had always been good corporate citizens; partnering with the YMCA, United Way, and other organizations in the community. Mr. Austin expressed concerns that the County did not first approach the Austin Company on this issue. Mr. Austin reported that he is not a resident of Yadkin County, but is a taxpayer. As a taxpayer, Mr. Austin felt that a jail on Hoots Road would be inefficient and more costly. Finally, Mr. Austin remarked that the County would be doing the citizens a disservice by placing a jail on Hoots Road.

Dave George commented that the results of the primary election were clear. The Board is not listening to the people. Mr. George stated that it makes no sense to build a jail anywhere but downtown. Using a past quote from Commissioner Garner, Mr. George asked the Board why they were here.

Mr. George stated the Board was representing their own interests and not those of the citizens.

Lynn Murray reported that he had just recently moved to Yadkin County. Mr. Murray reported that County staff in administration, tax, and permits had been outstanding and that the staff was a tribute to the County. Mr. Murray remarked that he had met some very nice people in Yadkin County. Mr. Murray asked the Board to put aside their pride and make the right decision for the citizens of Yadkin County. Mr. Murray encouraged the Board to go to the Lord in prayer and search their hearts for the right course of action.

Hubert Gregory, Mayor of the Town of Yadkinville, addressed the audience members as well as the Board. Mr. Gregory reported that the Austin Company had become land-locked several years ago and asked the Town of Yadkinville to provide sewer service. A County Commissioner at that time, told Mr. Gregory that a town could not provide sewer service outside the town limits. Mr. Gregory, then a Yadkinville Town Councilman, made a motion at the next meeting to run sewer lines out to the Austin Company, thus establishing a relationship and providing a needed service outside of the town limits. Mr. Gregory remarked that the Town of Yadkinville continues to work with Yadkin County. The recent resolution from the Town of Yadkinville outlined the efforts that Yadkinville was willing to make for a downtown jail.

Lori Sloop is a resident of Hoots Road. She attends today's meeting on behalf of her neighbors who are elderly. She and her neighbors are opposed to a jail on Hoots Road. Ms. Sloop remarked that the County has not provided any evidence that a jail on Hoots Road would be beneficial to the County in any way. Ms. Sloop was troubled that the Board does not listen to the citizens. Ms. Sloop remarked that the citizens had voted for this Board, but they would not be back.

Johnny Myers asked the Board to consider the long-term consequences of building a jail on Hoots Road. Mr. Myers stated that the leaders of years past refused the railroad, fought against a community college, and turned down money for a water and sewer system. Mr. Myers added that this jail issue is just as serious for the Town of Yadkinville, the citizens, and the area. Mr. Myers offered that removing the jail from the downtown area would be the

'nail in the coffin' of Yadkinville. Mr. Myers asked the Board not to make this a personality match, but to do the right thing for Yadkin County.

Conrad Brown stated that he was born in 1934. Mr. Brown commented that he had spent 6 years living in the jail while his father was the jailer for Yadkin County. Mr. Brown stated that the people of Yadkin do not support a jail on Hoots Road and asked the Board to carry out the will of the people. Mr. Brown asked the Board how much cost would be associated with transportation, additional vehicles, and additional deputies. Mr. Brown suggested that the Board tear down the existing jail and build a new jail on the downtown site that would accommodate a second floor if needed in the future. Mr. Brown remarked that in 50 years, there would be no Yadkin County. Mr. Brown commented that industry is needed to help boost the tax base.

Tim Wishon reported that his letters to the Yadkin Ripple should indicate his opinion of this Board of Commissioners. Mr. Wishon commented that the people attending today's meeting do not want the jail on Hoots Road. Mr. Wishon made a reference to "We the People..." from the Constitution of the United States. Further, Mr. Wishon stated it was the responsibility of the public authority to represent its citizens.

The Public Hearing closed at 8:20pm.

Commissioner Garner remarked that if you use quotes, you should use them correctly. Commissioner Garner clarified that his previous statement had been, "Why are you people even here? We're not telling you how to pray."

Commissioner Wooten referred to the Yadkin County Land Use Plan. Commissioner Wooten confirmed that Vice Chair Cornelius had served on the committee that designed this plan. Commissioner Wooten remarked that the jail on Hoots Road will not meet the criteria outlined in the Land Use Plan and read an excerpt from the plan numbered 5.6.12 that states that commercial development should be concentrated in downtown areas and that downtown areas should be strengthened. Commissioner Wooten added that this Board is well aware of his position on the jail; a jail at Hoots Road is wrong and will not serve the citizens of this County. Director Bates pointed out the Land Use Plan

does not specifically address a jail or law enforcement center. Director Bates added that Land Use Plan 5.7.6.4 states that public and semi-public facilities should be located centrally to the populations it serves. Chair Phillips read the Statement of Zoning Consistency as developed by the Planning Board, substituting “We the Board of Commissioners” in place of “We the Planning Board”.

Vice Chair Cornelius made a motion to accept the Statement of Zoning Consistency for the rezoning of 10 acres on Hoots/Butler Road from HB to MI-1-CD for a County Jail. Commissioner Wagoner second.

Vote: 4/1 (Wooten against)

[The Statement of Zoning Consistency is attached as Addendum D]

Vice Chair Cornelius made a motion to rezone the Hoots/Butler Road property from HB to MI-1-CD. Commissioner Wagoner second. Much discussion followed.

Director Bates confirmed that once rezoned to MI-1-CD, the property could only be used for a County Jail. Any other development would require a subsequent conditional rezoning.

Commissioner Wooten remarked that the Statement of Zoning Consistency was inaccurate. A County Jail on Hoots Road is inconsistent with the neighborhood. Commissioner Wooten noted that there are concerns of safety and transportation costs. Commissioner Wooten asked the Board to do the right thing for the citizens and stop wasting tax payer money.

Commissioner Garner asked for clarification on the conditions of this rezoning. Director Bates explained that the nature of a conditional use permit allows only for the facility that is specified. Any other additions or any other type of facility would require an additional conditional use permit.

Commissioner Wagoner pointed out that any future Board of Commissioners would have to petition for rezoning and approve a conditional rezoning in order to construct a Courthouse at this site. Director Bates confirmed that statement. Commissioner Wagoner added that the jail is the only facility that can be located on this property. If a jail is the “economic backbone” of the Town, only one piece of that puzzle is being disturbed.

Commissioner Wooten asked about the setback requirements for a jail facility. Director Bates reported that the setbacks for this project are outlined in the zoning conditions and follow the site plan.

Vice Chair Cornelius commented that he had lunch with Kevin Austin when the Hoots Road site was first being discussed. It was never the intention of this Board to harm the Austin Company in any way. Vice Chair Cornelius pointed out that Unifi, the largest capital investments in Yadkin County, built two plants across from the state prison. The prison has now closed but there was never any harm to person or property. The current jail facility is located in the most densely populated area of the Town and only blocks from the elementary school. Vice Chair Cornelius also addressed the earlier comment regarding the Hinshaw Road site. Vice Chair Cornelius reported that the Board ruled out Hinshaw Road as a potential when the Planning Board of the Town of Yadkinville voted not to rezone the property.

Commissioner Wooten remarked that the Board of Commissioners has an obligation to provide adequate jail facilities. The current jail has deteriorated. Commissioner Wooten added that he has made several recommendations for adequate facilities throughout his term and he will continue to work toward adequate facilities, but not at Hoots Road. Commissioner Wooten added that there is not a convincing demonstration that a jail is similar to the existing property on Hoots Road and a jail facility on Hoots Road would not be in accordance with sound land use planning.

Chair Phillips offered her regrets to those citizens that felt the Board was not listening to them. Chair Phillips acknowledged that this Board is in a difficult position. Chair Phillips remarked that no one wants to build a jail. The current jail is inadequate, undersized, and is dangerous for both staff and inmates. Providing an adequate jail facility is a legal, moral, and ethical obligation in addition to being a requirement of the North Carolina General Statutes. The Board did investigate thoroughly. The Board has made other decisions that may not have been popular among the citizens, but Chair Phillips stated that she had to make the best decisions for the County as a whole based on the information and resources that are made available. Chair Phillips stated, that ultimately, she has to do what she thinks is right and she believes this rezoning is the right thing to do.

Vote: 4/1 (Wooten against)

Chair Phillips called for a recess at 8:50pm. Meeting resumed at 9:20pm.

- (3) Set a Public Hearing for Corrective Rezoning of 0.58 acres of Jimmy White from CB to RA.

There was no discussion.

Commissioner Wooten made a motion to set a Public Hearing for the Corrective Rezoning of 0.58 acres of Jimmy White from CB to RA on Monday, November 17, 2008. Vice Chair Cornelius second.

Vote: 5/0

BOARD APPOINTMENTS

There were no Board appointments for today's meeting.

BOARD REPORTS/REQUESTS

(1) YVEDDI

Jack Koontz, representing Davie County on the YVEDDI Board of Directors and a member of the YVEDDI Facilities Committee, appeared before the Board to discuss the relocation plans of YVEDDI. Mr. Koontz provided the Board with a packet; including a financial plan, a letter from Chief Inspector, Gary Hayes, and a letter from Chester Construction Company. Chester Construction Company found only minor repairs and found the property to be in sound condition. Chief Inspector, Gary Hayes, indicated a few areas that would need addressing such as emergency lighting, handicapped rails and signage, smoke detectors, and fire extinguishers. Mr. Hayes' letter offered that the structure seemed to be in overall good condition. Mr. Koontz outlined the projected financial plan as follows:

\$ 685,000 balance due on the property
+100,000 moving and capital improvements
785,000

\$200,000 unrestricted funds available
+186,586 unrestricted Head Start funds
+200,000 (50,000 from each of the counties in the service area)
586,586

\$785,000

- 586,586

\$198,414 Balance to be borrowed from Southern Community Bank

Mr. Koontz explained that YVEDDI has a commitment from Southern Community Bank, but assured the Board that YVEDDI would not borrow one dime more than they needed. Mr. Koontz confirmed that Davie County did provide \$50,000 for the initial move and \$25,000 for the subsequent year. YVEDDI will not be able to appear before the Surry County Board until January. Commissioner Wooten pointed out that this Board cannot commit any funds for the following Board. Mr. Koontz also reported that a fundraising committee has been established.

Commissioner Wooten made a motion to approve the \$50,000 for YVEDDI to assist with their relocation and recommended that the upcoming Board of Commissioners honor the \$25,000 request for additional funds.

Commissioner Garner second.

Vote: 5/0

Chair Phillips asked Manager Kiser if Yadkin County had these funds available. Manager Kiser offered that the amount of funds requested should be weighed against the services that YVEDDI provides. Manager Kiser gave a brief synopsis of the County debt and remarked that \$50,000 would not be a burden on this year's budget.

(2) Utility Updates

Arcadis Engineer, Randy Darden, appeared before the Board for various utility updates as follows:

- (A) Bids for 5D were opened on October 14, 2008. The bids ranged from \$22,498,000 to \$16,777,000. The low bid was from Haymes Brothers of Chatham, Virginia. Schnabel checked references and found Haymes Brothers to be exemplary. In addition, Haymes has teamed with the leading company that does roller compacted concrete. Mr. Darden recommended that the Board award the contract to Haymes Brothers pending LGC approval.

Commissioner Garner made a motion to approve Haymes Brothers as the contractor for the 5D Project at a cost of \$16,777,427.57 contingent upon approval from the LGC. Vice Chair Cornelius second.

Vote: 5/0

Mr. Darden will be meeting with the contractor on Thursday to discuss the project. Haymes Brothers Construction has indicated their preference to complete the project in 12-14 months as opposed to the estimated 24 months. Haymes would like to mobilize on site early and should be able to provide a letter stating that the County would have no liability or responsibility during this time.

The total cost of the project is estimated at \$25 million to include construction, mitigation, permitting, engineering fees, etc. Mr. Darden recommends a contingency of \$3 million. Mr. Darden reported that geological studies had been done, but there is no guarantee that the material is uniform all the way across the structure. If granite is present, there should be no problems. Any other pliable rock would affect the injection of the cement. Mr. Darden stated that the LGC may be leary of such a large contingency amount. Mr. Darden and Schnabel representatives will attempt to explain their position on the contingency amount to the LGC. Mr. Darden noted that a lower contingency amount would mean a lower amount to be borrowed. Mr. Darden also pointed out that the State of North Carolina has not issued a guaranteed \$10.1 million toward this project. The State has said that there is \$10.1 million available as a match on this project. Mr. Darden explained his calculations on the amount to be borrowed:

Total project amount:	\$25,000,000
Amount of savings on bid:	<u>2,500,000</u>
	22,500,000
Non-matching grant from Fed:	<u>4,500,000</u> (rounded)
	18,000,000
Split 50/50 with the State:	<u>9,000,000</u>
	9,000,000
Capital Reserve Fund:	<u>2,000,000</u>
	7,000,000
Recommended borrowing amount:	\$7,500,000

Commissioner Wooten made a motion to approve the RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF A FLOOD CONTROL AND WATER SUPPLY FACILITY. Vice Chair Cornelius second.

Vote: 5/0

*[RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED
INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST
OF A FLOOD CONTROL AND WATER SUPPLY FACILITY
is attached as Addendum E]*

Commissioner Wooten made a motion to accept the RBC Bank Financing for the 5D Project at 4.19% for a 15 year term. Vice Chair Cornelius second.

Vote: 5/0

[RBC Bank Proposal is attached as Addendum F]

Commissioner Wagoner asked if RBC was expecting to establish other banking relationships with the County. County Manager Kiser stated that there have been no other discussions on that matter.

- (B) DOT repairs are complete on the Jonesville to West Yadkin waterline.
- (C) Costs on the chlorination station are higher than estimated. There were 2 'no-bids' and 1 bid from a South Carolina company that was not familiar with North Carolina regulations. The proposal is for \$59,975. Chair Phillips asked if this amount could be taken from the revolving loan. Mr. Darden will follow up on the revolving loan.

Commissioner Wooten made a motion to approve the agreement for a chlorination station at a cost of \$59,975 contingent upon no regulatory changes and funding through the revolving loan, if applicable.

Commissioner Garner second. Commissioner Garner asked about customers who are hooked up but not accessing the water because of the chlorination issue. Mr. Darden responded that flushing is the key in some areas.

Waterlines are operational up to Highway 421. Commissioner Garner made note of a household on Rocky Branch Road that is completely out of water.

Mr. Darden acknowledged that there are 4 or 5 households in that area that are

running out of water. Mr. Darden explained that flow will increase with the number of connections. There are plans to tie-in to the existing 4" lines at Lydall and increase the flushing. On a side note, the elevated storage tank at Lydall is not a viable option as it could cost up to \$150,000 to make it operational. The waterlines will be disconnected from the tank and the tank will be used as fire prevention only. Blue Rhino intends to connect when the lines are ready.

Vote: 5/0

- (D) Mr. Darden is drafting a letter to the households along the Courtney-Huntsville Extension.
- (E) The I-77 sewer line is being tested. The Austin Company has already connected. Lydall will connect next year.
- (F) Mr. Darden noted the letter from Jonesville in the agenda packet. Mr. Darden suggested that County Manager Kiser review the original agreement prior to submitting any payments to Jonesville. This matter will come back to the Board on November 3.

Commissioner Wagoner remarked that he would like to make a comment while Soil and Water Director, Jason Walker, was still in attendance. Commissioner Wagoner made reference to an incident that he reported some time ago regarding a deputy sheriff that responded to an alarm at his home. Commissioner Wagoner often acknowledges County services that citizens may not be aware of or exceed expectations. Commissioner Wagoner stated that the County was able to purchase 2 seed drills through grants for use by County residents for a small rental fee. Director Walker, despite his busy schedule, brought the seed drill to Commissioner Wagoner's home so that he could sew about 3 acres of grass. Commissioner Wagoner remarked that citizens often ask what services they receive for their tax dollars and this is one example.

BOARD ACTION

- (1) RESOLUTION AUTHORIZING THE ADOPTION OF A RELOCATION PLAN FOR THE YADKIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT

Northwest Piedmont Council of Governments representative, Rebecca Kassner, appeared before the Board to discuss the Community Development Block Grant. Three families, whose homes were beyond repair, had been selected for relocation. The resolution before the Board allows relocation when maintenance and repair are not feasible. Eligible families will be relocated to an equal housing arrangement. The three eligible families for Yadkin County are all homeowners and meet the criteria of elderly and low income.

Vice Chair Cornelius made a motion to approve the RESOLUTION AUTHORIZING THE ADOPTION OF A RELOCATION PLAN FOR THE YADKIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT.

Commissioner Wooten second.

Vote: 5/0

[The RESOLUTION AUTHORIZING THE ADOPTION OF A RELOCATION PLAN FOR THE YADKIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT is attached as Addendum G]

{Agenda Section XII, Items (2) and (3) were reviewed under Section X, Item (2)}

(4) Old Yadkin Group Home/Surry Children's Center

Vice Chair Cornelius made reference to a discussion the Board had weeks ago regarding the Old Group Home. Since, Vice Chair Cornelius has been approached by Robin Testerman, Executive Director of the Surry Children's Center. Ms. Testerman is interested in leasing the structure to establish a home, similar to their existing home in Surry, for children of Yadkin waiting to be adopted. Ms. Testerman reported that Yadkin County children accounted for 500 'bed days' in their Surry County home. Ms. Testerman also offered that the Center would consider changing their name to Yadkin Valley Children's Center in response to a Yadkin County home. Letters of support for a Yadkin County Home have been received from Eddie Wooten, Director of DSS, and Tom Kilby, Director of the Juvenile Justice Program. The previous lease with Turning Point Homes was included in the agenda packet for review. The Board agreed that this was a worthy venture and that Vice Chair Cornelius should proceed with negotiating a lease. Vice Chair Cornelius added that he would like to develop a long-term lease with option to buy and

keep the monthly lease amount at a minimum. It was suggested that the insurance carrier be notified for any potential adjustment.

MANAGER REPORTS/COMMENTS

County Manager Stan Kiser made the following remarks:

- (1) Property tax revenue is approximately 2% ahead of receipts from last year. Sales tax is down 1.6% statewide for the period of July through September.
- (2) Expenses for the County are in-line with the budget.
- (3) County Manager Kiser will begin budget work in December. Department budgets will be due in February.
- (4) County Manager Kiser will be meeting with the Board of Elections on Tuesday, October 21 at 9:00am to discuss their need for space.

CALENDAR NOTES

There was no discussion.

COMMISSIONER COMMENTS

Vice Chair Cornelius

Vice Chair Cornelius stated it was good to see Commissioner Candidates; Kevin Austin, Kevin Thomas, and David Moxley in attendance for today's meeting. Vice Chair Cornelius stated it was nice to see Jimmy Steelman in attendance as well.

Commissioner Garner

Commissioner Garner made reference to an earlier comment that the Hoots Road property is potentially worth \$2 million. Commissioner Garner used a familiar expression to infer that things are not always what they seem.

Commissioner Wooten

Commissioner Wooten provided updates from the recent PART meeting as follows:

- (1) The PART Board is moving forward on several issues.
- (2) Regular service to Yadkin County will begin October 28. There will be a permanent lot beside Prime Sirloin once the permits are in place. PART has worked out an agreement with the Shell Station on Asbury Church Road for temporary parking during construction of the permanent lot. This is a service to Yadkin County that is virtually 100% grant money.
- (3) The Yadkin River Bridge over I-85 continues to be a topic of conversation. There are no funds to replace this bridge at a cost of \$190,000,000 in today's economy. Region 7 and 9 T.I.P. money could be used for this project, but all other projects for the region would be abandoned. Tolling is being considered. Toll would be assessed using transponders. The projected cost at completion in 2011 is \$400 million; which would require 40-50 year financing.
- (4) In September, the ridership from Surry County to Boone was 56,791; representing a 123% increase from September 2007. Fuel savings are estimated at 72,000 gallons.

Commissioner Wagoner

Commissioner Wagoner commented that he and Commissioner Garner have 2 years remaining on this Board. Commissioner Wagoner was troubled that a great number of citizens felt that they were not being heard. Commissioner Wagoner offered his assurance that he does listen to the citizens, takes their words under advisement, and does consider the ideas of the citizens from all angles. Commissioner Wagoner specifically addressed certain comments from today's public hearing as follows:

- (1) Mr. Bill Garrett stated that the Board was spending Yadkin County into debt. Commissioner Wagoner noted that just before, Commissioner Wooten reported that the estimated cost of the Yadkin River Bridge over I-85 had increased from \$150 million in 2004 to \$400 million by 2011.

Likewise, had the 5D Project been completed as proposed in 1959, the cost would have been \$20,000. Yadkin County is finally able to complete this project, but today's cost is over \$20 million. The Board has been criticized for being too progressive and criticized for not being progressive enough. Commissioner Wagoner stated that he did not know how to measure progress. However, the decisions that this Board has made will bring interest to Yadkin County and will attract the industry that this County needs.

(2) Ms. Peggy Boose referred to a 'day of reckoning'. Commissioner Wagoner commented that this Board's day of reckoning occurred when they took their seat. Nothing had been done in Yadkin County in decades. Contrary to popular belief, Commissioner Wagoner stated that he does not like to spend money or raise his own taxes; but has done so, twice.

(3) Mr. Johnny Myers, whom Commissioner Wagoner acknowledged great respect, compared the jail issue to many other projects that left Yadkin County or did not come to Yadkin County. Commissioner Wagoner agreed with Mr. Myers and pointed out that the 5D project would have been very much like the railroad had this Board not voted to put the County in debt for this project.

In conclusion, Commissioner Wagoner assured the citizens that he does listen and everything is taken into consideration before a final decision is made.

Chair Phillips had no additional comments.

Attorney Graham had no additional comments.

Vice Chair Cornelius made a motion to adjourn. Commissioner Garner second.

Vote: 5/0

Meeting adjourned at 10:40pm.

Prepared by Clerk to the Board

Date Approved by the
Yadkin County Board of Commissioners

I attest that this is a true copy of the Minutes from the
October 20, 2008 meeting of the Yadkin County Board of Commissioners.

Gina Brown, Clerk to the Board